

MEMORANDUM

Agenda Item No. 11(A)(11)

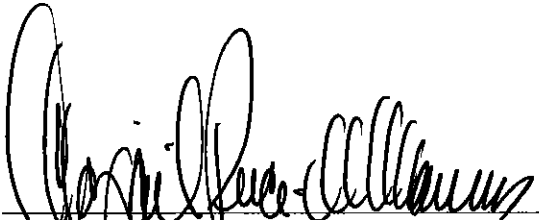
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 7, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution waiving, by a two-thirds vote of the full membership of the Board, the term limits imposed on Carlton Cole pursuant to Section 2-1113(D) of the Code of Miami-Dade County, Florida; waiving, by a two-thirds vote of the Board members present, the term limits imposed on Carlton Cole pursuant to Section 2-11.38.2 of the Code of Miami-Dade County, Florida; and reappointing him to the Vizcaya Museum and Gardens Trust Board for another term

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.



Abigail Price-Williams
County Attorney

APW/lmp



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: June 7, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 11(A)(11)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☒ Applicable legislation requires more than a majority vote (i.e., 2/3's ☒, 3/5's ☐, unanimous ☐) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(11)

6-7-16

RESOLUTION NO. _____

RESOLUTION WAIVING, BY A TWO-THIRDS VOTE OF THE FULL MEMBERSHIP OF THE BOARD, THE TERM LIMITS IMPOSED ON CARLTON COLE PURSUANT TO SECTION 2-1113(D) OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; WAIVING, BY A TWO-THIRDS VOTE OF THE BOARD MEMBERS PRESENT, THE TERM LIMITS IMPOSED ON CARLTON COLE PURSUANT TO SECTION 2-11.38.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; AND REAPPOINTING HIM TO THE VIZCAYA MUSEUM AND GARDENS TRUST BOARD FOR ANOTHER TERM

WHEREAS, Section 2-1113(D) of the Code of Miami-Dade County, Florida (“Code”) provides that no member of the Vizcaya Museum and Gardens Trust board (“Vizcaya Trust”) “shall be permitted to serve more than two (2) consecutive and complete terms of three (3) years each unless so authorized by a two-thirds (2/3) vote of the full membership of the Board of County Commissioners”; and

WHEREAS, in addition, Section 2-11.38.2 of the Code provides that no board member shall serve more than eight consecutive years on any one County board unless the Board of County Commissioners (the “Board”), by a two-thirds vote of the members present, votes to waive the term limit; and

WHEREAS, Carlton Cole has reached his term limit on the Vizcaya Trust; and

WHEREAS, this Board wishes to waive the applicable term limits in Sections 2-1113(D) and 2-11.38.2 of the Code, and reappoint Carlton Cole to the Vizcaya Trust for another term; and

WHEREAS, Carlton Cole has served on the Vizcaya Trust since 2000 with distinction; and

WHEREAS, Carlton Cole has served as the Treasurer of the Vizcaya Trust since 2013, helping to ensure the stability of Vizcaya's finances, and has also served as Chair and a member of Vizcaya's Art Collections Management Committee since 2006; and

WHEREAS, Carlton Cole is a permanent resident of Miami-Dade County, regularly participates in educational public programs at Vizcaya, and has, throughout the past 16 years, given exemplary service to Vizcaya; and

WHEREAS, this Board, pursuant to Section 2-1113(D) of the Code, by a two-thirds vote of its full membership, and pursuant to Section 2-11.38.2 of the Code, by a two-thirds vote of Board members present, desires to waive the applicable term limits and reappoint Carlton Cole to an additional three (3) year term as a member of the Vizcaya Trust,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board, by a two-thirds vote of the full membership of the Board, waives the term limit restrictions in Section 2-1113(D) of the Code for Carlton Cole, and, by a two-thirds vote of Board members present, waives the term limit restrictions in Section 2-11.38.2 of the Code for Carlton Cole, and reappoints him to another three (3) year term as a member of the board of the Vizcaya Trust.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

The Chairperson thereupon declared the resolution duly passed and adopted this 7th day of June, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Jorge Martinez-Esteve

